

**ORIGINAL**

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
NEWNAN DIVISION

FILED IN CLERK'S OFFICE  
U.S.D.C. - Newnan

FEB 20 2008

By: James N. Hatten, Clerk  
Deputy Clerk

RONNIE CARNEY, :  
Plaintiff, :  
: CIVIL ACTION FILE  
v. :  
CENTRAL CREDIT SERVICE, NO. 3. 08-CV-020-JTC  
INC., a Florida corporation, :  
Defendant. :  
\_\_\_\_\_

**COMPLAINT FOR DAMAGES**

**INTRODUCTION**

1. This is an action for damages against the defendant for violations of the Federal Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 et seq.

**SUBJECT MATTER JURISDICTION**

2. Subject matter jurisdiction in this Court is proper pursuant to 15 U.S.C. section 1692k(d) and 28 U.S.C. section 1337 (federal question jurisdiction).

## **PARTIES AND PERSONAL JURISDICTION**

3. Plaintiff is a resident of this State, District and Division who is authorized by law to bring this action.
4. Defendant CENTRAL CREDIT SERVICES, INC. is a corporation formed under the laws of the state of Florida. [Hereinafter, said defendant is referred to as "CCS."]
5. CCS is subject to the jurisdiction and venue of this Court.
6. CCS may be served by personal service upon its registered agent in Georgia, to wit: Corporation Service Company, 40 Technology Parkway South, Suite 300, Norcross, GA 30092.
7. Alternatively, CCS may be served by personal or substitute service pursuant to the Federal Rules of Civil Procedure and, as applicable, the laws of the states of Georgia or Florida.

## **FACTS COMMON TO ALL CAUSES**

8. CCS uses the mails in its business.
9. CCS uses telephone communications in its business.

10. The principle purpose of CCS's business is the collection of debts.
11. CCS regularly collects or attempts to collect debts owed or due, or asserted to be owed or due, another.
12. CCS is a debt collector subject to the provisions of the Fair Debt Collection Practices Act.
13. In the course of attempting to collect a debt allegedly due from Plaintiff to a business not a party to this litigation, CCS communicated with Plaintiff in a manner which violated the Federal Fair Debt Collection Practices Act.
14. In or around January 2008, CCS left a series of recorded voice message for Plaintiff requesting a return call.
15. In the telephone messages, CCS's callers did not properly identify the defendant.
16. In the telephone messages, CCS's callers did not state that the communications were from a debt collector.
17. In the telephone messages, CCS's callers did not state that the communications were an attempt to collect a debt.
18. In some of the telephone messages, CCS's callers left a reference of "file number," or words to that effect.

19. In some of the telephone messages, CCS's callers stressed that the call was "very important" or "time sensitive."
20. Defendant's communications violate the Fair Debt Collection Practices Act.
21. Plaintiff has complied with all conditions precedent to bring this action.

## **CAUSES OF ACTION**

### **FAIR DEBT COLLECTION PRACTICES ACT**

22. The acts of the defendant constitute violations of the Fair Debt Collection Practices Act.
23. Defendant's violations of the FDCPA include, but are not limited to, the following:
  24. The placement of telephone calls without meaningful disclosure of the caller's identity, in violation of 15 U.S.C. § 1692d(6);
  25. The use of any false, deceptive, or misleading representations or means in connection with the collection of any debt, in violation of 15 U.S.C. section 1692e; and

26. The failure to disclose in subsequent communications that the communication is from a debt collector, in violation of 15 U.S.C. § 1692e(11).
27. As a result of the defendant's actions, Plaintiff is entitled to an award of statutory damages, as well as an award of costs and attorney fees.

WHEREFORE, PLAINTIFF RESPECTFULLY PRAYS THAT JUDGMENT BE ENTERED AGAINST DEFENDANT AND IN FAVOR OF PLAINTIFF, AS FOLLOWS:

- a) That Plaintiff be awarded statutory damages;
- b) That Plaintiff be awarded the expenses of litigation including a reasonable attorney fee;
- c) That the Court declare each and every defense raised by Defendant to be insufficient; and
- d) That the Court grant such further and additional relief as is just in the circumstances.

Respectfully submitted,

**THE LAW OFFICE OF KRIS SKAAR, P.C.**

by:

  
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